Village Council September 20, 2010 6:45 PM Minutes Public Hearing

**Call to Order**: Mrs. Rush-Ekelberry called the meeting to order at 6:45pm

Roll Call: John Bender, Rick Deeds, Steve Donahue, Bobbie Mershon, Marilyn Rush-

Ekelberry, Leah Turner, James Wynkoop

Mr. Deeds moved to excuse Mrs. Mershon; seconded by Dr. Bender.

**VOTE:** AYES Dr. Bender, Mr. Donahue, Mr. Wynkoop

Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

**NAYS** 

Motion passed.

<u>Purpose of the Public Hearing:</u> To hear public comments on the Appeal filed by Applicant John Bakitis of 79 North Trine Street. Mr. Bakitis whose home is located in the Preservation Area was seeking Approval (PA-10-03) to change the siding on the existing home from wood to vinyl, change the windows on the existing home from wood to vinyl and to add a two story 10' x 15' addition with vinyl siding and windows.

The Planning and Zoning Commission at their August 9, 2010 hearing denied approval of the change of the siding from wood to vinyl and the two story 10' x 15' addition.

## **Presentation to Council:**

**Staff Report**: Chris Strayer

Photos and power point presentation were presented to illustrate the property in question. Looking at the Preservation Guidelines, it states that the addition must be to the rear or the side so that the original structure remains the focus and that the materials be consistent with the original property. Required from the owner are photos of condition of the wood siding, a documented history of a minimum of 5 years of paint problems and a detailed cost comparison analysis of the re-painting versus replacing. The P&Z Commission approved the replacement of the wood windows to vinyl windows. The vinyl siding was denied. There was no 5 year documented history of paint problems and no detailed cost comparison presented. The addition was also denied because it wasn't in an area of low visibility from the street and the materials were not compatible with the existing structure. Discussion ensued.

# Planning & Zoning Commission: Joe Abbott

The property owner did not provide the required documentation for the application to change from wood to vinyl. If Planning and Zoning had that information they could see more of the problems and need for the vinyl. The look of the addition would take away from the integrity of the older feel of the home. Discussion ensued.

## **Property Owner**: John Bakitis

His home was built in approximately 1908 and 1910 and is one of the "newer" homes in the area. He believes that the Commission interpreted the standards as if his home were in the Historic District and not in the Preservation district. There should be revamping and clarification of those standards so that the Commission may not interpret them in any way they please. All of his neighbors signed a petition that he should be allowed to have vinyl siding on his home. He read a letter into record that he sent to the Mayor. It stated that the addition would double the size of a bedroom on the second floor and add a library on the first floor. The ductwork that would be added with the addition would make the 2<sup>nd</sup> floor much more comfortable, especially in the winter. The addition and upgrade will add to the value of the home and the neighborhood. There will be decorative details and all will resemble the original material in shape and size. Mr. Bakitis read the petition of his neighbors into record. Photos were presented. The house has been painted and the paint just peels off down to the bare wood. Siding is beginning to crack in several areas. The external basement entrance is in poor shape as well.

The house immediately to the south at 73 N Trine had an addition approved and it doesn't match the nature of the house. Further photos of homes in the area were presented; some in the Historic District and Preservation district that have vinyl siding.

Council asked various questions regarding the dates of previous paint jobs, the cost of Hardiplank, etc.

Mrs. Turner feels like people have the right to do what they want to their homes, but asks that the property owner provide P&Z with the information that they have requested.

Mr. Deeds asked about the drawing of the addition.

Further discussion ensued.

### **Village Resident Comments:**

(Five Minute Limit per Person)

Mike Gust, of 71 E Mound, stated that he is across the street from the Bakitis property. He said that the wood siding will not take paint. He also stated that there will not be moisture in between the vinyl and the wood if it is installed correctly. The vinyl actually preserves the wood behind it. Often years later, people can take the vinyl off of the house and restore the wood to its original beauty.

# **Council Comments/Questions:**

Dr. Bender stated that Mr. Bakitis did a good job bringing in the pictures and the neighbors support. We are in a dilemma. Though the plans are to make the house better, the P&Z commission is just trying to follow the rules.

Mrs. Turner has a hard time reversing any decision of the P&Z, because she knows they do a good job, but there does seem to be a precedent set here with other homes having the vinyl siding.

Mr. Deeds moved to take this under advisement; seconded by Mr. Donahue. Their decision will have to be within 60 days from August 13<sup>th</sup>; most likely at the next meeting on October 4<sup>th</sup>.

**VOTE:** AYES Dr. Bender, Mr. Donahue, Mr. Wynkoop

Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

**NAYS** 

Motion passed.

<u>Adjournment:</u>
Mr. Deeds moved to adjourn the meeting; seconded by Dr. Bender.

AYES Dr. Bender, Mr. Donahue, Mr. Wynkoop **VOTE:** 

Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed. Time out 7:29pm